

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DONALD PATTERSON,

Petitioner,

Case Number: 07-CV-14211

v.

HON. JOHN CORBETT O'MEARA

SHERRY BURT,

Respondent.

/

ORDER GRANTING PETITIONER'S MOTION TO ACCEPT DEFENDANT'S BRIEF

Petitioner Donald Patterson filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Approximately ten weeks later, he filed the pending “Motion to Accept Defendant’s Brief Supporting Application for Writ of Habeas Corpus.” Petitioner explains that he failed to file the supporting brief at the same time he filed his petition because of his limited access to a typewriter and difficulty obtaining ink for his typewriter. The Motion was filed before Respondent filed her answer and Petitioner’s delay in filing the supporting brief is not attributable to a lack of diligence. Accordingly,

IT IS ORDERED that Petitioner’s “Motion to Accept Defendant’s Brief Supporting Application for Writ of Habeas Corpus” [dkt. # 4] is **GRANTED** and the attached brief is accepted for filing.

s/John Corbett O’Meara
United States District Judge

Date: July 31, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, July 31, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager